

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Dennis Smith, §
Plaintiff, §
VS. § CIVIL ACTION NO. H-03-5700
§
Performance Food Group, Inc., §
Defendant. §

MEMORANDUM AND ORDER

Plaintiff's motion for extension of time to reply to opposition, Docket No. 52, is hereby **DENIED WITHOUT PREJUDICE TO REFILING**. If Plaintiff wishes to refile the motion, he should confer with Defendant as to whether Defendant opposes the motion and should include with the motion a certificate of conference and a certificate of service.

IT IS SO ORDERED.

SIGNED at Houston, Texas, on this the 25th day of October, 2005.



KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE

TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES
THIS ORDER SHALL FORWARD A COPY OF IT TO EVERY
OTHER PARTY AND AFFECTED NON-PARTY EVEN THOUGH
THEY MAY HAVE BEEN SENT ONE BY THE COURT.